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UNCLAS SECTION 01 OF 06 NICOSIA 000180

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DEPARTMENT FOR G/TIP, INL, DRL, PRM, EUR. STATE PLEASE PASS
TO USAID

E.O. 12958: N/A

TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [PREF](#) [ELAB](#) [CY](#)

SUBJECT: TURKISH CYPRIOT-ADMINISTERED AREA -- EIGHTH ANNUAL
TIP REPORT SUBMISSION

REF: A. 07 STATE 02731

[1](#)B.

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[1](#)1. (U) Paras 3-6 are sensitive but unclassified -- not for
internet distribution.

[1](#)2. (U) Embassy Nicosia hereby submits information for the
April 2007 - March 2008 Trafficking in Persons (TIP) Report.
Embassy point of contact is Amy E. Dahm, Political Section,
Tel: (357) 22-39-3345, Fax: (357) 22-39-3467. Approximately
40 hours (FSO-4) and 80 hours (FSN-10) were spent in
preparing this material.

[1](#)3. (SBU) Answers in this para are keyed to the questions in
Ref A para 27, "Overview."

[1](#)A. The area administered by Turkish Cypriots is a destination
for women who are trafficked to work in the sex industry.
Turkish Cypriot authorities acknowledge that trafficking is a
problem on the island. Although they often confuse
trafficking with alien smuggling, authorities seem to be more
educated about trafficking compared to previous years.
Turkish Cypriot authorities believe the area is, to a lesser
extent, a transit point for people wishing to enter the EU
illegally. The scope of the trafficking problem is not
clear. However, there are statistics on the number of foreign
women who claim "artiste" status. In 2007, the Turkish
Cypriot "Ministry of Interior" issued 1,317
"artiste"-category work permits (9 of them "barmaid"-category

work permits) to women coming to the north to work in 39 nightclubs and 3 pubs (officially there are 9 pubs but 6 of them are without operating licenses and thus cannot employ artistes or barmaids and are thus practically closed).

As of March 2008, 352 such foreign women were working in the area administered by Turkish Cypriots. In 2007, immigration police had repatriated 316 women who wished to curtail their nightclub contracts. These statistics, provided by the immigration police via the "Ministry of Interior," are reliable. The majority of trafficking victims are women from Eastern Europe. All such foreign women entering the area administered by Turkish Cypriots arrive via Turkey, the only country with direct commercial air links to the north. The authorities maintain that most of these women have worked in nightclubs in Turkey, specifically in Istanbul, prior to their arrival in Cyprus. The authorities have also indicated that a significant number of Turkish women, who enter the area administered by Turkish Cypriots either on three-month tourist "visas" or on student "visas," work as prostitutes out of apartments in the cities of Nicosia, Kyrenia and Famagusta. Immigration police said that, during the reporting period, women working in nightclubs and pubs came mostly from Moldova (80 percent) and Ukraine (11 percent), as well as smaller numbers from Kyrgyzstan, Russia, Georgia, Belarus, Uzbekistan, Tajikistan, the Philippines, Kenya, Romania, and Nigeria. Information and statistics are readily available from the Turkish Cypriot authorities upon request, although there was no regular public disclosure. The "Ministry of Interior" tracks the number of work permits issued to nightclubs and pubs. Immigration police track entries/exits and repatriations to/from the area administered by Turkish Cypriots. The "Ministry of Health" keeps statistics on the required, weekly health checks for nightclub workers, and the police keep statistics on arrests related to prostitution, in the absence of anti-trafficking "legislation." Women trafficked for purposes of commercial

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sex do not change location once they have signed a contract with a particular nightclub in the north.

1B. During the rating period, there appear to have been no changes in the extent/direction of trafficking to/through the area administered by Turkish Cypriots. Recently, however, the "government" has displayed increased political will to address trafficking, as demonstrated by the drafting of an anti-trafficking "law" by the "Ministry of Interior" in conjunction with the legal department of the "Presidency", and the authorities have shown an increased awareness regarding trafficking. The authorities indicate that the "President" has made the preparation and passage of anti-trafficking legislation a priority. Some NGOs, notably the Turkish Cypriot Human Rights Foundation (KTIHV), has shown interest the issue of trafficking. The NGO sponsored the first anti-TIP conference held in the area administered by Turkish Cypriots in February 2008. Also, authorities at the "Ministry of Health" continue to operate the "157" helpline, similar to the one operating in Turkey, which is dedicated to helping victims. Currently, the "Nightclubs and Similar Places of Entertainment Law" of 2000 provides the most relevant legal framework vis-a-vis trafficking. Under this "law," such foreign women are not allowed to live on-site at their place of employment but instead live together as a group in a dormitory, which is usually adjacent to the nightclub or pub, or at another accommodation arranged by the establishment owner. In order to prevent establishment owners from taking their employees' passports, thereby further restricting their freedom of movement, Turkish Cypriot immigration police hold the travel documents for the duration of their stay. (Note: The police fall under the "Prime Ministry," but they are ultimately under the operational command of the Turkish military, per transitional Article 10 of the "TRNC constitution," which "temporarily" cedes responsibility for public security and defense from Turkish Cypriot civilian authorities to Turkey.)

A nightclub may employ up to 12 women, but pubs, following a 2007 amendment to the nightclubs "law," cannot employ any. Women receive six-month "artiste"-category work permits, which they may renew; however, they are required to leave the area administered by Turkish Cypriots at the expiration of the first permit for at least two months, then re-enter.

The "law" states that an "artiste" who commits prostitution may receive up to two years of imprisonment and/or a fine of up to 1000 YTL (approximately \$850). The same penalties apply to those who "encourage" an artiste to engage in prostitution. These women may be subject to violence, threats, excessive working hours and inadequate pay, and may be forced to perform sexual acts for clients and employers. Turkish Cypriot authorities say that they do not know precisely who is behind this trafficking, since victims arrive via Turkey. They do not know what happens to these foreign women between the time they leave their countries of origin and arrive in the area administered by Turkish Cypriots. The authorities have indicated, however, that men accompanying these women at/through ports of entry are often Turkish. NGO representatives believe that organized crime is behind the ownership and management of some of the nightclubs in the area administered by Turkish Cypriots. The local press reported the claims of an independent researcher who had interviewed "artistes" at nightclubs that these women come to Cyprus with the assistance of employment agencies supposedly seeking models, baby-sitters, or elder caretakers.

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¶C. A "Nightclub Commission," comprised of police, "Ministry of Labor," and "Ministry of Health" personnel, regulates these establishments. The "Ministry of Interior" serves as "interagency" coordinator in all issues concerning nightclubs. It meets once a month to discuss issues related to nightclubs/pubs and their employees. The "Commission" makes recommendations to the "Ministry of Interior" on the granting of operating licenses, on changes to employee quotas, and on the need to intervene in any problems arising at a particular establishment.

¶D. There are a number of limitations on the "government's" ability to address trafficking. Not only is there no funding budgeted for anti-trafficking efforts, there still is no anti- trafficking "legislation." Turkish Cypriot authorities are not party to any international agreements due to the unrecognized status of the "Turkish Republic of Northern Cyprus -- TRNC." Likewise, no international NGOs have offices in the area administered by Turkish Cypriots. The authorities have signed no cooperative agreements with source countries, and would almost certainly be unable to do so due to recognition issues. Turkish Cypriot authorities have not participated in any EU or international conferences or training programs on TIP. Nevertheless, Turkish Cypriot authorities actively investigated allegations of related crimes. Police took advantage of nightclub and pub inspections to interview these foreign women and to ask if they were having any problems. According to police, several nightclubs and pubs are inspected on a weekly basis, and at least one operation is conducted each month. From their interviews, police estimated that around 10 percent of foreign female nightclub workers did not understand, prior to their arrival that they would be working as prostitutes.

¶E. There is no mechanism in place for the "government" to monitor its anti-trafficking efforts.

¶4. (SBU) Answers in this para are keyed to the questions in Ref A, para 28, "Investigation and Prosecution of Traffickers."

¶A. The area administered by Turkish Cypriots does not have a "law" that specifically prohibits trafficking in persons. In 2007, as in previous years, trafficking-related cases were tried on the grounds of the "Criminal Code of the TRNC"

concerning (1) living off the earnings of prostitution or off the earnings of the provision of prostitutes and/or (2) encouraging prostitution. This "law" also prohibits (3) abduction and (4) forced labor. The authorities announced publicly in February 2008 that efforts to draft a new anti-trafficking "law" were almost complete.

B. The area administered by Turkish Cypriots does not have a "law" that specifically prohibits trafficking in persons; however, persons convicted of living off the earnings of prostitution or off the earnings of the provision of prostitutes, or of encouraging prostitution, may receive up to two years imprisonment and/or a fine of YTL 1,000. Persons convicted of abduction may receive up to seven years imprisonment. Persons convicted of forced labor may receive up to one year imprisonment. Living off the earnings of prostitution or off the earnings of the provision of prostitutes" and "encouraging prostitution" are both illegal, and information was used to make arrests on both crimes during the reporting period. Turkish Cypriot authorities did not prosecute any trafficking cases due to the lack of

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appropriate legislation. In 2007, police arrested 55 people in 40 prostitution-related cases. Fourteen of these cases were closed, whereby three people received prison sentences, seven received fines, and four people were released. 26 cases involving 30 people are pending.

C. Persons convicted of abduction may receive up to seven years imprisonment. Persons convicted of forced labor may receive up to one year imprisonment. In the reporting period, there were no reported incidents of labor trafficking offenses.

D. The law prescribes no minimum sentence for individuals convicted of rape, including spousal rape; the maximum sentence is life imprisonment. There are no prescribed penalties for crimes of trafficking.

E. Prostitution is illegal, as are "living off the earnings of prostitution or off the earnings of the provision of prostitutes" and "encouraging prostitution." Nightclubs are governed by "legislation," as stated above, and are supposed to provide only entertainment (i.e. dance shows, etc.)

F. The authorities have prosecuted cases against nightclub owners and pimps on prostitution-related charges.

G. Authorities have not provided any specialized training for officials in how to recognize, investigate, and prosecute instances of trafficking.

H. Turkish Cypriot authorities cooperate with Turkish authorities on most criminal matters, but trafficking-specific cooperation is often lacking due to the absence of anti- trafficking "legislation" in the area administered by Turkish Cypriots. The Turkish Cypriot authorities have cooperated with the UN police to conduct a raid and rescue a victim; usually, however, Turkish Cypriot authorities are able to cooperate only with Turkey, although they can and have contacted Interpol (via Turkey) on other matters.

I. The "TRNC constitution" does not allow the extradition of Turkish Cypriots; Turkish Cypriot authorities have no plans to amend this prohibition. The authorities can, however, extradite citizens from other countries, although they did not receive any requests to do so during the reporting period.

J. There is no evidence of involvement in trafficking by "government" authorities, but trafficking can be said to be tolerated due to a lack of anti-trafficking legislation, prosecution, and infrastructure. The "government" has issued public statements recently that indicate growing interest in tackling trafficking, however.

¶K. No "government officials" were prosecuted for engaging in related crimes during the rating period.

¶L. N/A

¶M. N/A

¶5. (SBU) Answers in this para are keyed to the questions in Ref A, para 29, "Protection and Assistance to the Victims."

¶A. The "government" does not provide temporary or permanent residency status for trafficking victims. Trafficking victims

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are not identified as trafficking victims. Deportation is the most common form of "rescue" the authorities use for women who complain about their employment at nightclubs and demand help from the police.

¶B. The "Ministry of Health" operates a "157" helpline, similar to the one operating in Turkey, to provide support to "artistes" seeking help. The nurse responsible for answering the "157" calls speaks Russian, Moldovan, English and Turkish. However, when Embassy officers recently called the helpline, the nurse did not identify herself or the service. The "Ministry of Health" requires nightclub employees to report to a hospital for weekly health checks in order to prevent the spread of sexually-transmitted diseases. Furthermore, the "Ministry" inspects nightclubs to ensure that these women are not subjected to unsanitary working or living conditions. With the stated intention of protecting these foreign women, the "Nightclubs and Similar Places of Entertainment Law" mandates that immigration police keep their passports during their stay on Cyprus. Also under the "law," immigration police repatriate any woman who wants to leave. Because of the above, Turkish Cypriot authorities have not historically seen a need to offer shelter or counseling; however, recent statements and overtures by the authorities towards some Turkish Cypriot NGOs seem to indicate that the "government" is willing to partner with them to establish a shelter for trafficking victims. In 2007, 316 foreign women were repatriated.

¶C. Turkish Cypriot authorities did not provide funding or other forms of support to foreign or domestic NGOs for services to victims.

¶D. There is no formal system of identification and referral.

¶E. Prostitution is not legal in northern Cyprus.

¶F. Trafficking victims are not formally recognized as such. If a foreign woman is arrested for prostitution, the authorities typically deport her the same day.

G and H. Though there is no formalized witness protection program, police claim that an unspecified number of foreign women gave statements in the investigations of crimes related to prostitution. There is no victim restitution program. These women are not permitted to pursue other employment in the area administered by Turkish Cypriots if they leave their nightclub or pub. If the woman does not want to be deported and expresses a desire to seek legal action, the woman attains "witness" status and is accommodated in a hotel under police protection until the case is concluded. There is no publicly-supported shelter in the area administered by Turkish Cypriots. Historically, Turkish Cypriot authorities were not convinced that there is need for such victim services, including a shelter, because the "police" arrange immediate repatriation for foreign women who wish to leave their employment. However, authorities have recently expressed a desire to increase victim protection services.

¶I. Turkish Cypriot authorities do not receive specialized training in recognizing trafficking and providing assistance

to victims. However, authorities have facilitated training by allowing some law enforcement personnel to attend training provided by international NGOs.

¶J. No Turkish Cypriot women have been repatriated as victims

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of trafficking.

¶K. There were no international organizations or NGOs that provided services for TIP victims. There are Turkish Cypriot NGOs involved in anti-trafficking efforts, but they have been more involved with awareness raising and research of the problem.

¶6. Answers in this para are keyed to the questions in reftel, para 30 "Prevention."

¶A. Turkish Cypriot authorities acknowledge that trafficking is a problem.

¶B. The Turkish Cypriot authorities have not conducted any government-run anti-trafficking information or education campaigns during the reporting period.

¶C. There is limited, but slowly increasing, communication concerning TIP between Turkish Cypriot authorities and civil society. In February 2008, the U.S. Embassy, Turkish Cypriot Human Rights Foundation (KTIHV) and British High Commission teamed up to sponsor a widely-attended anti-trafficking conference that gathered together "government," police, media and civil society representatives.

¶D. Turkish Cypriot authorities monitor both air and sea ports of entry and along the Green Line (dividing the government-controlled and Turkish-Cypriot administered areas of Cyprus) and maintain basic statistical information; however, they do not monitor immigration and emigration patterns for evidence of trafficking.

¶E. There is no mechanism for coordination and communication between various Turkish Cypriot "agencies," or between the "government" and relevant international entities. Turkish Cypriot authorities have not designated a TIP working group or single point of contact. There is no public corruption task force.

¶F. Turkish Cypriot authorities have not developed a "national" plan of action to address TIP.

¶G. The authorities have taken no measures to reduce the demand for commercial sex acts.

¶H. The authorities have taken no measures during the reporting period to reduce participation in international child sex tourism by Turkish-Cypriot nationals; however, international child sex tourism is not a documented issue in Cyprus.

¶I. N/A
SCHLICHER